

1. Record Nr.	UNINA9910820893703321
Titolo	Codification of administrative procedure // edited by Jean-Bernard Auby, Roberto Caranta, Gunilla Edelstam ; foreword, George Bermann
Pubbl/distr/stampa	Bruxelles : , : Bruylant, , [2013] ©2013
ISBN	2-8027-4167-5
Descrizione fisica	1 online resource (1011 p.)
Collana	Administrative law = Droit administratif ; ; 13
Disciplina	342
Soggetti	Administrative procedure
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Couverture; Titre; Copyright; Collection; Foreword; Aknowledgements; Table of contents; Authors and editors; Table of cases; Table of legislation; Introduction. European Union Law of Public Contracts: Public Procurement and Beyond; Part I. Substantive EU Public Procurement Law; Chapter 1. Scope and Coverage of the EU Procurement Directives; 1. Introduction; 2. The entities covered (personal scope); 3. The contracts covered (material scope); 4. Conclusions; Chapter 2. Specifications; 1. Introduction; 2. The legal framework 3. The relevance of specifications within the award procedure and beyond that (including a case-study)4. Cross-border impacts of specifications; 5. Impacts of the pursued reform of public procurement law; 6. Conclusions; Chapter 3. Classic Procurement Procedures: Open, Restricted, Negotiated; 1. Introduction; 2. General principles in the award of contracts; 3. Open, restricted, and negotiated procedures: general considerations; 4. Open Procedure; 5. The restricted procedure: general aspects; 6. The negotiated procedure; 7. Publication; 8. New Directives and classic procedure; 9. Conclusions Chapter 4. New Award Procedures1. Introduction; 2. Flexibility in selecting the contractor: the competitive dialogue; 3. The flexibility in the definition of the needs: framework agreements; 4. Dynamic purchasing systems; 5. Electronic auctions; 6. The 12 July 2013 proposal for a new directive on public procurement; 7. Conclusions;

Chapter 5. Qualification and Shortlisting; 1. Introduction; 2. Excluding economic operators; 3. Economic and technical capabilities; 4. Qualification and subcontractors the executive level and other affiliates; 5. Shortlisting
6. The provisions of the new directiveChapter 6. Contract Award Criteria; 1. Introduction; 2. Award criteria for all contracts; 3. Difference between the award criteria and qualification; 4. Criterion of the lowest price-special reference to "abnormally low tenders"; 5. Criterion of the economically most advantageous tender; 6. Most important innovations or changes of the new Directives; 7. Conclusions; Chapter 7. Sustainable Procurement; 1. Introduction; 2. Definition of the subject matter of the contract and mixed contracts; 3. Technical specifications 4. Selection criteria and reserved contracts5. Award criteria; 6. Conditions for the performance of the contract; 7. The Reform.; 8. Conclusion; Chapter 8. Treaty Requirements for Contracts 'Outside' the Procurement Directives; 1. Introduction; 2. The Treaty requirements - Transparency and Equal treatment; 3. To advertise or not to advertise; 4. Means of competition; 5. Other requirements derived from the Treaty; 6. Cross-border interest; 7. Modernisation of the EU public procurement rules; 8. Conclusion; Part II. Special Procurement Regimes; Chapter 9. Utilities Procurement; 1. Introduction
2. The utility sectors: a field of tension between EU and Member States

Sommario/riassunto

This book analyses many aspects of the present EU regulatory framework for public contracts, especially public procurement, taking the ongoing reform process into account. First, several chapters discuss the regime of the Public Sector Procurement Directive 2004/18/EC governing the procurement activities of the EU Member States, the coverage of the Directive, qualification and technical specifications, procurement procedures, and award criteria. A specific chapter describes the EU principles applicable to contracts not covered or partially covered by the Directive, which have been the subject
